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8 Attorney for Defendant
9 Jessie Garcia-Ochoa

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 PRICE *et al.*,
17 Defendant.

CASE NO. CR 12CR0114-SI

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING STATUS
CONFERENCE**

SAN FRANCISCO VENUE

Current Court Date: Sep. 21, 2012 11:00 AM

Proposed Court Date: Nov. 2, 2012 11:00 AM

Location: Courtroom 10, 19th Floor

21
22 The above-captioned case is currently scheduled for a status conference on September 21,
23 2012 at 11:00 a.m. However, counsel for Mr. Garcia-Ochoa is scheduled to be out of the district
24 on that date. Also, counsel for Mr. Price is unavailable on October 12. Counsel for Mr. Garcia
25 also understands that the Court is unavailable on October 19 and October 26. Accordingly, the
26 parties have agreed to vacate the September 21, 2012 hearing date, and continue the status hearing
27 to November 2, 2012 at 11:00 A.M.
28

1 Furthermore, the parties stipulate and jointly request that time be excluded from the
2 Speedy Trial Act calculations from September 21, 2012, through November 2, 2012 for
3 continuity, effective preparation of counsel, and preparation for trial.

4 The parties agree that the ends of justice served by granting such a continuance outweighed
5 the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).
6 To date, all time has been excluded under the Speedy Trial Act, Title 18, United States Code,
7 Section 3161 and seventy days therefore remain on the Speedy Trial clock.
8

9
10 IT IS SO STIPULATED

11 _____ 9/17/12

_____/s/

12 DATED

MELINDA HAAG
United States Attorney
Northern District of California
KEVIN BARRY
Assistant United States Attorney

13
14
15
16
17 _____ 9/17/12

_____/s/

18 DATED

ERICK L. GUZMAN
Attorney for Mr. Garcia-Ochoa

19
20 _____ 9/17/12

_____/s/

21 DATED

FRANK BELL
Attorney for Mr. Price

1
2
3
4 **[PROPOSED] ORDER**

5 For good cause shown, the motion hearing now scheduled for Monday, September 21, 2012
6 is vacated. The matter shall be added to the Court's calendar on Friday, November 2, 2012 at
7 11:00 A.M.
8

9 In addition, for the reasons stated above, the Court finds that an exclusion of time from
10 September 21, 2012 through November 2, 2012 is warranted and that the ends of justice served by
11 the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See*
12 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny defense
13 counsel the reasonable time necessary for effective preparation, taking into account the exercise of
14 due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. §3161(h)(8)(B)(iv).
15

16 **IT IS SO ORDERED.**

17
18 9/18/12

19 DATED



HON. SUSAN ILLSTON
United States District Court Judge